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BEFORE THE
ILLINOIS COMMERCE COMMISSION

DAVID FINNIGAN and ELIZABETH M.) DOCKET NO.
SIMMONS) 07-0464
-vs-)
ILLINOIS-AMERICAN WATER COMPANY)
)
)
Complaint pursuant to 220 ILCS 5/1)
et seq.)

Springfield, Illinois
Monday, October 1, 2007

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

MR. J. STEPHEN YODER, Administrative Law Judge

APPEARANCES:

MR. DAVE FINNIGAN
416 Delavan Street
Lincoln, Illinois 62656
Ph. (217) 785-4947

(Appearing pro se)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
Ln. #084-002710

1 APPEARANCES: (Cont'd)

2 MS. MARY SULLIVAN
3 Corporate counsel
4 100 North Water Works Drive
5 Belleville, Illinois 62223
6 Ph. (618) 239-3222

7 (Appearing on behalf of
8 Illinois-American Water Company
9 via teleconference)

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3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	None .				
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13		<u>EXHIBITS</u>			
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15				<u>MARKED</u>	<u>ADMITTED</u>
16	None .				
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Could I have the appearances for the
record, please?

JUDGE YODER: Would you go ahead and state
either your residential or business office?

JUDGE YODER: Okay. Ms. Sullivan, go ahead.

JUDGE YODER: Anyone else wishing to enter their appearance in this docket? Let the record reflect no response.

1 The parties have indicated before
2 going on the record that they have a start of a
3 schedule. The parties have indicated that
4 Illinois-American has agreed they would file their
5 answer, formal answer to the complaint, by October
6 19, 2007. We would then set this matter over for a
7 status hearing to set the remainder of the schedule
8 to October 23, 2007, at 10:00 a.m.

9 Does that time works for you, Mr.
10 Finnigan?

11 MR. FINNIGAN: Yes, it does.

12 JUDGE YODER: And, Ms. Sullivan?

13 MS. SULLIVAN: Yes, sir.

14 JUDGE YODER: I think that's all we have on the
15 schedule.

16 A couple other housekeeping matters.
17 Mr. Finnigan, I tracked down, I think, your office
18 phone number, I think.

19 MR. FINNIGAN: (217) 785-4947.

20 JUDGE YODER: And I don't know if you had
21 talked to Ms. Sullivan. We do a lot by e-mail. Are
22 you willing to accept service by e-mail?

1 MR. FINNIGAN: I would love to. Unfortunately,
2 I just don't have a reliable e-mail address. I would
3 offer this. First off, Ms. Sullivan actually ended
4 up sending two notices in the mail, one addressed to
5 Dave Finnigan, one to Elizabeth Simmons. It would
6 only be necessary to send one.

7 I would also state that for the
8 Commerce Commission they were sent by certified mail.
9 If they want to send it by regular mail, that would
10 be sufficient, unless that is by statute or rule.

11 JUDGE YODER: I think the notice of the first
12 hearing goes out by that.

13 MR. FINNIGAN: And as soon as I am able to
14 obtain a reliable e-mail address, I certainly would
15 provide that. If there is some alternative --

16 JUDGE YODER: We can work on that. If you get
17 one, just let us know because we do send a lot of
18 notices and communication between the parties.

19 MS. SULLIVAN: Can I briefly ask a question?
20 My filing date is October 19. Does that mean I need
21 to have it to him by the 19th in which case can he
22 accept overnight mail?

1 MR. FINNIGAN: I am willing to actually accept
2 that it is sent by her on the 19th. I don't need to
3 receive it actually on the 19th, Mary.

4 MS. SULLIVAN: Okay, as long as that's okay
5 with you.

6 MR. FINNIGAN: It's fine with me.

7 JUDGE YODER: Okay. Anything else before we
8 break until the 23rd, Mr. Finnigan?

9 MR. FINNIGAN: No.

10 JUDGE YODER: Ms. Sullivan, anything else you
11 need to address today?

12 MS. SULLIVAN: No, Your Honor.

13 JUDGE YODER: Okay. We will adjourn then until
14 October 23 at 10:00 a.m.

15 (Whereupon the hearing in this
16 matter was continued until
17 October 23, 2007, at 10:00 a.m.
18 in Springfield, Illinois.) H

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